UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,438	10/08/2003	Gerard Sinpraseuth	1374-03	7136

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EXAMINER
ZHEN, LI B

ART UNIT	PAPER NUMBER
2194	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)
Office Action Summary		10/681,438	SINPRASEUTH ET AL.
		Examiner	Art Unit	
		Li B. Zhen	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>30 October 2003</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>19-36</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>19-36</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>10/30/2003</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail. Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 19 – 36 are presented in the application.

Specification

2.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc. The abstract is verbatim with claim 19 and contains legal phraseology, i.e. "means". Appropriate correction is required.

3.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5.   This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

6.   **Claims 19 – 36 are rejected under 35 U.S.C. 103(a) as being unpatentable**

over U.S. Patent No. 6,996,706 to Madden et al. [hereinafter Madden] in view of

U.S. Patent No. 7,181,738 to Chan.

7.   As to claim 19, Madden teaches the invention substantially as claimed including

a removable information storage medium [col. 5, lines 14 – 30] comprising:

        at least one computer program for displaying [user interface of PQFFINST.EXE;

col. 11, lines 54 – 62] and processing information recorded on the storage medium and

information recorded on a server accessible via a telecommunication network [network

client system; col. 9, lines 32 – 46], wherein the medium can be operated by host

equipment comprising a reader [CD-ROM drive 210, tape drive 212, or removable (e.g.,

Iomega Zip) drive 234; col. 5, lines 13 – 30];

        at least one specific operating system [pre-boot code include: (a) an operating

system that is not conventionally installed on the machine but instead resides in one or

more user files to be loaded; col. 6, lines 8 – 29] independent of the operating system

[operating system 226 that is conventionally installed on the computer; col. 5, lines 65 –

col. 6, line 9] of the host equipment [computer 200; col. 5, lines 49 – 65], the specific

operating system replacing on a temporary basis the operating system of the host

equipment [pre-boot code 224 that is intended to be run instead of booting the operating

system 226; col. 5, line 65 – col. 6, line 10] and comprising an integration of computer

resources for operating the computer program [code that "boots" the machine by

placing its hardware under software control, generally with some type of I/O; col. 6, lines

9 – 28], an integration of drivers controlling peripheral network access devices [network

drivers; col. 11, line 62 – col. 12, line 18] and peripheral input/output devices for a user

interface [device drivers; col. 7, lines 15 – 27], the specific operating system not

operating drivers of the host equipment [device driver code 230; col. 7, line 65 – col. 8,

line 38], nor modifying any system, any program nor any driver of the host equipment

[image could be inadvertently overwritten unless steps are taken to protect it; col. 7,

lines 45 – 65], nor an automatic recognition and activation system upon startup of the

peripheral devices launched on the host equipment and required for host equipment

[col. 8, line 63 – col. 9, line 11];

means for implementing upon detection by the host equipment of the presence of

the storage medium in the reader, at least the startup and the loading of the specific

operating system [image obtaining step 104 may also temporarily replace 120 a master

boot record 228 of the computer 200 with a boot record 230 that loads the image 222;

col. 6, line 65 – col. 7, line 15] and the drivers launched [col. 7, line 65 – col. 8, line 38].

Although Madden teaches the invention substantially, Madden does not specifically disclose the specific operating system starting up from a removable storage medium being autonomous and immutable.

However, Chan teaches a running image of the operating system so that when this customized running image is booted up, it can be run off in protected WINDOWS mode on ramdisk in two different styles [col. 6, line 50 – col. 7, line 16] and a specific operating system starting up from a removable storage medium being autonomous and immutable [run off in protected WINDOWS mode on ramdisk in two different styles, namely the Contained Style and the Split Style....starting the operating system into protected WINDOWS mode wholly from ramdisk; col. 6, line 50 – col. 7, line 16].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Madden to incorporate the features of Chan because this guarantees that each such booting and running is clean and unaffected by virus infection and save the maintenance cost of the computing world adopting the operating system in relation to efforts spent on anti-virus measures and in relation to the need for system backup and recovery [col. 19, lines 23 – 33 of Chan].

8.   As to claim 20, Madden teaches the storage medium has a rewritable zone for personalization of the information [col. 9, lines 11 – 30] and a non-rewritable zone for recording specific computer resources [col. 7, lines 45 – 64].

9.   As to clam 21, Madden teaches the storage medium is a CD optical disk [CD-

ROM drive; col. 4, line 61 – col. 5, line 2].

10.   As to claim 22, Madden teaches the storage medium is a non-volatile memory

[random access memory; col. 5, lines 13 – 30].

11.   As to claim 23, Madden teaches the storage medium is a magnetoresistive

memory [col. 5, lines 13 – 30].

12.   As to claim 24, Madden teaches the storage medium is a semiconductor memory

[col. 5, lines 50 – 65].

13.   As to claim 25, Madden teaches the operating system comprises a program for

managing allocation of processor time of the host equipment allocation and

regeneration of tasks [col. 6, line 50 – col. 7, line 16].

14.   As to claim 26, Madden teaches the operating system has a core and the size of

the core is smaller than 50 kilo-octets [DOS operating system code; col. 16, lines 30 –

40].

15.   As to claim 27, Madden as modified teaches operation of and access to the

peripheral input/output devices of the host equipment as well as opening of the

communication gateways is deactivated with the exception of a communication

gateway(s) controlled by launched resources, the launched resources being reinitialized

by loading of the operating system [col. 19, lines 48 – col. 20, line 5 of Chan].

16.   As to claim 28, Madden as modified teaches the computer resources comprise .

an Internet navigator not recording data stemming from the network exclusively in RAM

memory of the host equipment or in a rewritable zone of the storage medium, to the

exclusion of other memories of the host equipment [col. 2, lines 5 – 28 of Chan].

17.   As to claim 29, Madden teaches a filter controlling data recorded in a rewritable

zone [col. 7, lines 45 – 65].

18.   As to claim 30, Madden as modified teaches personalization information in a

non-rewritable zone for generating a private key [col. 12, lines 27 – 43 of Chan] by an

algorithm recorded in the non-rewritable zone [col. 7, lines 45 – 64 of Madden] and

taking into account the personalization information and an information element captured

by a user of the host equipment [col. 9, lines 11 – 30 of Madden].

19.   As to claim 31, Madden as modified teaches personalization information in a

non-rewritable zone [col. 7, lines 45 – 64 of Madden] for generating a private key [col.

12, lines 27 – 43 of Chan] by an algorithm recorded in the server and taking into

account the personalization information and an information element captured by a user

of the host equipment [col. 9, lines 11 – 30 of Madden].

20.   As to claim 32, Madden teaches means for recording data in a CMOS memory of

the host equipment [col. 16, lines 39 – 46].

21.   As to claim 33, Madden as modified teaches means for implementing a partition

of a hard disk of the host equipment and for controlling reading and recording data in a

partition of the hard disk solely to the exclusion of other partitions of the hard disk [col.

11, line 65 – col. 12, line 29 of Chan].

22.   As to claim 34, Madden teaches means for controlling reading and recording of

data in a memory of the host equipment controlled by a specific driver [col. 5, lines 13 –

30].

23.   As to claim 35, Madden teaches means adapted to limit or augment access to

information and services in time and/or in number of accesses [col. 16, lines 15 – 31].

24.   As to claim 36, Madden teaches multiple specific operating systems addressing

multiple distinct computer processor and physical platforms, allowing the storage

medium to start up on each of the distinct processors and physical platforms [col. 14,

line 50 – col. 15, line 5].

Conclusion

25.　　The prior art made of record and not relied upon is considered pertinent to

applicant's disclosure.

　　　　U.S. Patent No. 5,968,174 discloses a method and apparatus for implementing a

32-bit operating system, which supports 16-bit code.

CONTACT INFORMATION

26.　　Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768.

The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

　　　　If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, William Thomson can be reached on 571-272-3718. The fax phone number

for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen
Examiner
Art Unit 2194

LBZ

6/23/2007